

April 6th, 2019

To whom it may concern,

I present for your consideration this Citizen's Indictment of William P. Barr. The phrase "citizen's indictment" naturally brings to mind the phrase "citizen's arrest", and the intended function of this document is similar. In a citizen's arrest a suspect may be apprehended by private individuals, but must then be turned over to authorities. Likewise, this document cannot take the place of a Federal proceeding. I present this document as a call to action. It is my hope that any lawmakers who have the opportunity to review this document, and to interrogate Mister Barr, will question him regarding the matters presented herein. I also hope that members of the Washington DC Bar association who agree with the findings presented here will feel free to cite this document as needed in motions to call for an investigation of Barr, to determine whether he should be disbarred.

One feature that readers will notice which is quite different from a state or federal indictment is the addition of text boxes at the end of several entries. Those text boxes are to address behaviors that appear to be violations of the Washington DC Bar Association's ethical guidelines, and are intended for the use of DC Bar association members, as noted in the paragraph above. These text boxes are also used to provide links to key documents relevant to this indictment.

I have chosen to present this indictment using my Internet avatar for two reasons. The first is personal safety; given the radicalized and violent nature of the Trump base, it is likely that if I were to present this indictment under my real name that I would become the subject of constant harassment and threats. The second reason is name recognition. As a frequent commenter on several national news sites, my avatar has become very familiar to many of the readers of those sites, and also to some of the authors. There are many who would not recognize my real name, who will recognize "the Contentious Otter" avatar.

I have received a great deal of encouragement from fellow news commenters. Given their expressions of confidence, I feel safe in declaring that I speak on behalf of those Americans who desire greater scrutiny of the Trump Administration. I refer to this group collectively in the header of the indictment as "Those With Questions".

Thank You,
The Contentious Otter

<p>Those With Questions</p> <p>v.</p> <p>William P Barr DEFENDANT</p>	<p>Criminal Nos.</p> <p>18 U.S.C. § 210 18 U.S.C. § 371 18 U.S.C. § 1001 18 U.S.C. § 1505</p>
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Introduction: The Defendant, William P. Barr is accused of making an improper offer for appointive public office by writing a memo that constituted an implicit offer to derail the investigation of President Trump being conducted by special counsel Robert Mueller and to abuse the authority of the office of United States Attorney General to protect President Donald J. Trump from various other criminal and civil proceedings. By choosing to accept President Trump's nomination to become Attorney General of the United States, William P. Barr effectively entered into a criminal conspiracy involving himself, President Donald J. Trump, and Trump's personal lawyer Rudy Giuliani. In the process of executing this conspiracy William P. Barr delivered false and misleading statements to Congress to try to conceal the nature of his actions. Finally, Mr. Barr executed the agreement he'd made with Donald J. Trump and Rudy Giuliani and sought to obstruct the investigation being conducted by Special Counsel Robert Mueller by delivering an intentionally vague and misleading letter to Congress.

First Count: The Defendant, is accused if violating 18 U.S.C. § 210: Offer to procure appointive public office, committed as follows:

1. The Defendant is accused of violating this section by delivering a memo which

constituted an implicit promise to protect President Donald J. Trump from the investigation by Special Counsel Robert Mueller and from other civil and criminal proceedings. 18 U.S.C. § 210 makes it illegal for anyone to offer “a thing of value” in exchange for appointment to a public office. In this case, the “thing of value” was a promise to derail the Mueller investigation which was looking into charges of the Trump campaign having accepted illegal campaign contributions from Russian intelligence agencies in the form of an online influence campaign, charges of obstruction of justice related to the firing of James Comey and to seek to block other civil and criminal proceedings against President Trump. The phrase “a thing of value” is subjective, and it is clear from statements that President Trump has made in the media that having an Attorney General who would protect him from his legal troubles was something that he valued very highly. The phrase “a thing of value” does not have to refer only to a tangible item. It can also refer to services rendered, and the services that President Trump seemed most eager to receive, were those of a very aggressive and experienced legal “fixer”.

2. There has been thorough media coverage of Trump's discontent with former Attorney General Jeff Sessions' decision to recuse himself from the Mueller investigation, and his repeated refusals to engage in any maneuvers that might allow him to re-assert control over that investigation. In a July 2017 interview with the New York Times, President Trump declared that if he'd known Sessions was going to recuse himself from the Mueller investigation, that he wouldn't have hired him as Attorney General. In the second half of 2018, President Trump's verbal attacks on Jeff Sessions increased in intensity. In a September 19th interview on TheHill tv, President Trump made a variety of statements critical of Sessions' performance, culminating in the declaration: “I have no attorney general”. President Trump fired former Attorney General

Sessions on November 7th of 2018.

3. Hereafter the phrase “the Barr memo” shall refer to the memo that Barr wrote to Deputy Attorney General Rod Rosenstein and Assistant Attorney General Steve Engel, dated June 8th of 2018. Barr's March 24th, 2019 letter to Congress outlining the summary findings of the investigation by Special Counsel Robert Mueller shall be referred to as “Barr's letter to Congress”.

4. On June 8th of 2018, roughly six months before Sessions was fired, William P. Barr submitted an unsolicited memo to Deputy Attorney General Rod Rosentein and Assistant Attorney General Steve Engel disparaging the existence of the Mueller probe and declaring that the President has authority over the Justice Department to determine which investigations should be terminated without any charges being filed. In the introduction to his memo Bar stated, “Mueller should not be permitted to demand that the President submit to interrogation about alleged obstruction. Apart from whether Mueller has a strong enough factual basis for doing so, Mueller's obstruction theory is fatally misconceived...” This is an inappropriate statement for an experienced lawyer and former Attorney General of the United States to make, as it directly violates the Supreme Court decision in *Nixon v. United States*, where the court's decision stated: “Neither the doctrine of separation of powers nor the generalized need for confidentiality of high-level communications, without more, can sustain an absolute, unqualified Presidential privilege of immunity from judicial process under all circumstances,” and that “any absolute executive privilege under Art. II of the Constitution would plainly conflict with the function of the courts under the Constitution.” Granting the President the authority to terminate an investigation when he is either a subject or target of that investigation violates the Natural Law

principle that “No man may judge his own case”, and pre-empts the possibility of discovering criminal behavior. In the case *Clinton v. Jones*, the Supreme Court ruled that Presidential Immunity does not apply to any actions that preceded a President's election. The decision in that case included the statement: “...the President, like other officials, is subject to the same laws that apply to all citizens, that no case had been found in which an official was granted immunity from suit for his unofficial acts.” By that ruling, Mueller would be permitted to question the President on any matters that preceded the 2016 election, as Executive Privilege and Presidential Immunity would not apply to those matters in any way. Additionally, Mueller would have the right to question the President about any potentially criminal acts that were the fruit of the President's desire to conceal unofficial acts that were illegal. The decision in *United States v. Nixon* established that Presidential Immunity and Executive Privilege do not extend to any acts that constitute a violation of Article II of the Constitution. Because pre-empting an investigation of unofficial acts effectively nullifies the potential for action by the courts, and impairs the discovery process which is essential for Congress Committees to be able to exercise effective oversight, permitting the President to terminate an investigation when he is either a subject or a target of that investigation therefore constitutes a gross violation of the Balance of Powers clause.

5. Barr continues on in the memo to disparage the idea that Mueller's investigation may be predicated upon bringing charges under 18 U.S.C. §1512. This is not correct, as 18 U.S.C. §1512 is not the most applicable statute. There are a variety of statutes that are potentially relevant to the Mueller investigation, including 18 U.S.C. § 1503, 18 U.S.C. §1505, 18 U.S.C. §1510 and 52 U.S.C. § 30121. 18 U.S.C. § 1503 and 18 U.S.C. § 1505 are “omnibus clauses”, that offer investigators a broad scope for applying charges related to trying to threaten

or harass an officer of the court, or trying to misdirect or impede investigations by government agencies or Congressional Committees. 18 U.S.C. § 1510 relates specifically to acts of trying to obstruct the communication of information to investigators, by any means. 52 U.S.C. § 30121 refers to soliciting or accepting contributions from foreign nationals, which Donald Trump Junior plainly admitted to with the release of his e-mails surrounding the Trump Tower meeting with Russian lawyer Natalia Veselnitskaya on June 9th of 2016. 18 U.S.C. § 1512 has a far more narrow application and refers to witness tampering. For Barr to write an extended memo suggesting the entire Mueller investigation falls under 18 U.S.C. § 1512 is so outrageous that it suggests Barr is actually offering to misdirect the Mueller investigation by requiring Mueller to apply incorrect sections of the US Title Code to his findings, thereby rendering conviction impossible.

6. The Barr memo focuses obsessively, and incorrectly on 18 U.S.C. § 1512, Barr insists “Because the obstruction claim is entirely dependent on first finding collusion, Mueller should not be permitted to interrogate the President about obstruction until he has enough evidence to establish collusion.” This claim by Barr is also incorrect, and it is noteworthy that he never defines “collusion” (a term that is not defined in the US Code outside of antitrust statutes) for the purposes of his memo. In the context of this investigation, Barr's memo should have included the establishment of a working definition of how “collusion” was to be defined. Trump Junior's actions regarding the June 9th 2016 Trump Tower meeting absolutely do constitute a violation of 52 U.S.C. § 30121: Solicitation of contributions from foreign nationals, and given the context of the case that alone is sufficient to establish intent to receive opposition research from a foreign intelligence agency. The Trump family had extensive dealings with Kremlin-linked businessmen

from the period when President Trump held the Miss Universe pageant in Moscow. The Trump organization had signed a letter of intent to build a Trump Tower Moscow with Aras Agalarov acting as the project developer. There is absolutely no way that the Trump family can claim to not have known that the Agalarov's were Russian nationals. Trump Junior's claim that he never received the intelligence that was offered is irrelevant, as Title 52 Section 30121 makes clear that simply attempting to solicit "a thing of value" from a foreign national is against the law. Because political campaigns routinely pay for opposition research, and Trump himself admitted publicly in a press conference that information his son sought was "...opposition research, campaigns pay for that all the time," there is no way that anyone associated with the Trump campaign can deny guilt for that particular violation, and a pattern of seeking to receive contributions from those with close ties to foreign governments would satisfy a lay definition of "collusion". Again, Barr's failure to define applicable terminology and to name relevant sections of the US Title Code demonstrates intent to deceive.

7. Barr continues on with the outrageous statements throughout his June 8th memo. At one point he notes that multiple statutes related to obstruction of justice use the phrase "acting corruptly", but then insists that "Mueller cannot define what acting corruptly even means". The working definition of acting corruptly is provided in 1727. PROTECTION OF GOVERNMENT PROCESSES -- OMNIBUS CLAUSE -- 18 U.S.C. § 1505 as "acting with an improper purpose, personally or by influencing another, including making a false or misleading statement, or withholding, concealing, altering, or destroying a document or other information." "Acting with an improper purpose" may be further defined as acting in a manner that violates legacy principles of Natural or Common Law. Trump took action that was intended to hobble an

investigation that focused on him, which clearly constitutes “acting with an improper purpose”, as his actions are a clear violation of the Natural Law principle of “Nemo iudex in sua causa” or “No man may judge his own case”. It appears that part of Barr's motivation behind choosing to focus obsessively on 18 U.S.C. § 1512 was a desire to avoid use of the definitions provided in sections 1503 and 1505. Once again, we have an example where if the conclusions Barr presents in his memo were applied to the Mueller investigation, and Barr refused to permit consideration of applicable sections of the US Title Code, and to focus solely on 18 U.S.C. § 1512 as he does in his memo, it would constitute willful misdirection of the investigation, and Barr could be found guilty of violating 25 CFR 11.448: Abuse of office.

8. One of the fine points relating to enforcement of obstruction of justice sections of the US Title Code is that FBI Investigations, prior to delivery of evidence for consideration by a Grand Jury, do not constitute a "pending proceeding" , however, because the FBI Director Comey had provided testimony to Congress on multiple occasions prior to his firing, statutes related to pending proceedings would still apply, as Congressional proceedings meet the standard required for 1505 charges to be filed, and it is readily apparent that part of President Trump's motivation was to mitigate Comey's ability to provide information to Congressional committees by stripping him of his security clearance, and to install someone as FBI Director who would not have had the firsthand experience of those interactions. Choosing to ignore proceedings by Congress that ran concurrently with the FBI investigation constitute another willful act of obstruction by Attorney General Barr.

9. Title 18 Section 1512, which Barr repeatedly cites in his memo, deals specifically with witness tampering, and only applies insofar as Comey is a witness to Presidential actions.

Choosing to focus on section 1512 completely ignores proceedings before Congress, as well as acts of obstruction that occurred during the Mueller investigation, such as the President's numerous and progressively more unhinged "Twitter tantrums", and numerous examples of Trump allies in Congress engaging in threats and show-boating directed at FBI Personnel, examples of which include the infamous 'Nunes memo, the Strzok hearings, and a series of improper claims by Presidential allies about illegal FISA applications.

10. The decision to avoid any mention of *Clinton v. Jones* and to declare that Presidents could not be subpoenaed is deemed an implicit promise to protect President Trump from compliance in any civil proceedings during his time in office. Barr appears to be using the art of omission to describe how he would manage the Justice Department. Willful avoidance of the *Clinton v. Jones* case is Barr's way of saying that he will manage the Justice Department as if that case didn't exist, and seek to use the full resources of the Justice Department to block or delay the numerous civil cases filed against President Trump from both prior to, and during his time in office.

11. Barr makes several other outrageous statements in his memo. At one point he claims: "At the end of the day, I believe Mueller's team would have to concede that a President does not act "corruptly" simply by acting on -even terminating- a matter that relates to his own conduct." Barr's comments become even more outrageous with his claim that "The judiciary has no authority to to inquire how the executive, or executive officers, perform duties in which they have a discretion." Again, these statements are in clear violation of the rulings in *United States v. Nixon* and *Clinton v. Jones*. While Federal Statutes do state that judges and prosecutors have absolute immunity for the consequences of their decision in regard to retaliation by disgruntled

litigants, Supreme Court case-law specifically states that the President can be held liable for civil claims stemming from unofficial acts, or for any action which is deemed a violation of the Constitution. For a President to terminate an investigation of himself pre-empts the possibility of action by the courts and reduces the potential for effective oversight by Congress, and thereby constitutes a clear violation of the Balance of Powers clause of the Constitution. Barr's statement is so outrageous that it's hard to believe a former Attorney General and experienced lawyer would even attempt to make this claim in any seriousness, and Barr's decision to include this statement, and the sheer volume of profoundly misguided statements in the Barr memo makes it clear that his memo was intended as an implicit offer to act as a Presidential "fixer".

12. Someone who is a former United States Attorney General and who has been practicing law in the Washington DC area for decades cannot claim gross ignorance of the law. It is ridiculous for a former Attorney General to write a 19 page memo regarding an investigation of the President of the United States without ever mentioning Supreme Court decisions in *United States v. Nixon* or *Clinton v. Jones*. Barr's un-Constitutional declaration of absolute executive authority, and his blatant misrepresentation of the application of Federal Statutes in his Memo -along with the benefit of hindsight after observing Barr's behaviors during his first few months as Attorney General- makes it clear that the memo was an implicit offer to derail the Mueller investigation and to protect the President from other civil and criminal proceedings, in short, to act as Chief White House "Fixer". As a former Federal Prosecutor, Trump's Attorney Rudy Giuliani would have the knowledge and the experience to recognize Barr's use of artful misdirection and omission, and to recognize the implicit offer being made, and to then explain that offer to the President. On December 7th of 2018, Trump nominated William Barr as United

States Attorney General, telling the Press that Barr was his first choice, and in spite of writing a memo that included clearly un-Constitutional statements regarding Presidential authority and which demonstrated apparent gross ignorance (or willful disregard for) Federal statutes, Trump insisted that he thought Barr “demonstrated an unwavering adherence to the rule of law.”

The memo that Barr wrote may be found online at the following location:
<https://www.lawfareblog.com/document-william-barr-memo-obstruction-investigation>

Second Count: The Defendant is accused of violating 18 U.S.C. § 371: Conspiracy to defraud the United States. Committed as follows:

13. By choosing to accept President Trump's nomination to become the next Attorney General of the United States, William P. Barr effectively entered into a criminal conspiracy involving himself, the President of the United States and the President's lawyer Rudy Giuliani to defraud the United States by derailing an investigation of the President and abusing the office of United States Attorney General to protect President Donald J. Trump from various civil and criminal proceedings. By choosing to accept Trump's nomination to become Attorney General, Barr effectively agreed to act as Trump's Chief White House “Fixer”. As he progressed through the nomination process Barr delivered incomplete and deceptive communications to Congress, and willfully misrepresented the findings of the Mueller investigation. Conviction for 18 U.S.C. § 371 requires “proof of an illegal agreement, criminal intent, and proof of an overt act.” (923. 18 U.S.C. § 371—CONSPIRACY TO DEFRAUD THE UNITED STATES) In this case, the illegal agreement was outlined in the Barr memo, where Barr made an implicit offer to protect the President from various civil and criminal proceedings. Criminal intent was established by

Barr's telegraphing his intention through the arguments in said memo to abuse the authority of the office of Attorney General of the United States to obstruct various legal proceedings involving the President. The overt acts included Barr's delivery of the memo in which he outlined his offer to act as a Presidential "Fixer", his false statements to Congress which were delivered with intent to conceal his true intentions, and Barr's Letter to Congress summarizing the findings of the Mueller investigation, which willfully misrepresented the findings of the investigation by Special Counsel Robert Mueller.

By accepting an appointment to abuse the authority of the office of United States Attorney General for the purpose of acting as a White House "fixer", William P. Barr violated several sections of the DC Bar Association's Rules of Professional Conduct.

Section 1.2(e) states: "A lawyer shall not counsel a client to engage, or assist a client, to engage in conduct that a lawyer knows is criminal or fraudulent..." By offering to use the authority of an appointive public office to protect the President from civil and criminal proceedings, and by telegraphing his intention to act with complete disregard to key Supreme Court decisions regarding Executive Privilege and Presidential Immunity, Barr was effectively offering to assist in the commission of illegal acts.

Section 1.7(4) states: "(4) The lawyer's professional judgment on behalf of the client will be or reasonably may be adversely affected by the lawyer's responsibilities to or interests in a third party or the lawyer's own financial, business, property, or personal interests." William Barr accepted appointment as Attorney General in spite of his association with the organization The Federalist Society. The Federalist Society is part of the State Policy Network, a nationwide conservative advocacy organization. The National Rifle Association is a funding member of the State Policy Network. The National Rifle Association has been the subject of a Federal investigation into the laundering of financial contributions from Russian oligarchs to GOP candidates. Accepting a position as Attorney General effectively means that Barr accepted the job of overseeing an investigation of an organization that he is a long-time member of, and through which he has numerous personal and professional ties. This represents a serious conflict of interest that Barr failed to address in his prepared testimony to Congress. Nor did he make a public declaration that he would recuse himself from any investigation of the National Rifle Association, the State Policy Network, or the trial of Maria Butina. (Although the matter is not addressed in the text of this indictment, there is a very real potential that Barr's relations with the White House may have been coordinated by other Federalist Society members, and this topic may become the subject of future indictments.)

Third Count: The Defendant is accused of violating 18 U.S.C. § 1001: Statements and entries generally. Committed as follows:

14. In his prepared testimony to Congress, William P. Barr insisted that, “President Trump has sought no assurances, promises, or commitments from me of any kind, either express or implied, and I have not given him any...” The implicit promise made in Barr's June 8th 2018 memo shows this statement to be utterly false. Barr also stated in his prepared testimony to Congress that “...my memo was narrow in scope, explaining my thinking on a specific obstruction-of-justice theory under a single statute that I thought, based on media reports, the Special Counsel might be considering. The memo did not address – or in any way question – the Special Counsel’s core investigation into Russian interference in the 2016 election. Nor did it address other potential obstruction-of-justice theories or argue, as some have erroneously suggested, that a President can never obstruct justice.” This is another obvious lie from Barr. Given that Barr's original memo was an implicit offer to step in and act as the President's fixer, any claim that no assurances were made is a blatantly false statement intended to misdirect members of the Senate Judiciary Committee. Barr's arguments in his memo demonstrate an intent to abuse the authority of the Attorney General's office by acting with complete disregard for rulings in *United States v. Nixon* and *Clinton v. Jones*, actions which would result in chronic inaction by the Justice Department in all matters regarding the President, to include the refusal to file any criminal charges against the President and resulting in an extended course of legal appeals for any plaintiffs seeking civil action against the President.

15. On March 24th of 2019 William Barr delivered a letter to Congress where he presented his summary findings of the Mueller investigation. In that letter Barr failed to name the sections of

the US Title Code that were applied to Special Counsel Robert Mueller's findings. In the introduction to his letter Barr states, "The report explains that the Special Counsel and his staff thoroughly investigated allegations that members of the presidential campaign of Donald J. Trump, and others associated with it, conspired with the Russian government in its efforts to interfere in the 2016 U.S. presidential election, or sought to obstruct the related federal investigations." The key issue here is that given the arguments outlined in the Barr memo, Barr should have taken the initiative to explain which sections of the US Title Code were considered when reaching his conclusion that there weren't grounds to pursue charges. If Barr -at any time- insisted on focusing on 18 U.S.C. § 1512 as he did in his memo, rather than a more expansive approach based upon application of 18 U.S.C. § 1505 and 52 U.S.C. § 30121. It is important to remember that Barr's memo insisted that for 18 U.S.C. § 1512 to apply, a finding of obstruction would be contingent upon proof of illegal coordination and conspiracy. However, if Barr failed to include consideration of other sections to include 18 U.S.C. § 1505 and 52 U.S.C. § 30121, then Barr's orders would automatically pre-empt any finding of conspiracy or obstruction of justice, and his claims that the President neither coordinated with the Russians, or that Trump attempted to obstruct Federal investigations are entirely meaningless. It also means that Barr's attempt to downplay the arguments in his memo that he presented in prepared testimony to the Senate Judiciary Committee on Tuesday, 15th of 2019 was a blatantly false statement designed to conceal his true intentions.

Section 1.2[8] states: "When the client's course of action has already begun and is continuing, the lawyer's responsibility is especially delicate. The lawyer is required to avoid assisting the client, for example, by drafting or delivering documents that the lawyer knows are fraudulent, or by suggesting how the wrongdoing might be concealed." By becoming the President's White House fixer, Barr was offering to prevent the filing of charges, and to obstruct civil actions on the President's behalf, a clear violation of both the language and the intent of Section 1.2[8].

Barr's prepared testimony to the Senate Judiciary Committee may be found here:
<https://www.lawfareblog.com/document-william-barrs-prepared-nomination-hearing-testimony>

Fourth Count: The Defendant is accused of violating 18 U.S.C. § 1505: Obstruction of proceedings before departments, agencies and committees. Committed as follows:

William P. Barr delivered a letter to Congress stating that the Mueller investigation had not found evidence to support claims of illegal coordination and cooperation between the Trump campaign, and that there was not sufficient evidence to demonstrate that the President had obstructed justice through the firing of James Comey. As mentioned in discussion of the 1001 count, that letter failed to address which sections of the US Title Code were applied to Mueller's findings, and constitutes an attempt to deceive the American public and members of Congress regarding the Special Counsel investigation. After the release of the Barr letter to Congress, news media picked up reports that members of the Special Counsel team felt that Barr had misrepresented the nature of the Special Counsel's findings. The nature of Barr's obstruction of the investigation is perfectly described in this excerpt from an April 3rd article in the New York Times:

“At stake in the dispute — the first evidence of tension between Mr. Barr and the special counsel’s office — is who shapes the public’s initial understanding of one of the most consequential government investigations in American history. Some members of Mr. Mueller’s team are concerned that, because Mr. Barr created the first narrative of the special counsel’s findings, Americans’ views will have hardened before the investigation’s conclusions become public.”

The article continued on to state that Special Counsel staffers had already written their own summaries of sections of the Mueller report, but Barr threw out those summaries in favor of

delivering a highly sanitized report to Congress. This action is in keeping with Barr's offer to act as a "Presidential Fixer", as he promised to do in his memo to the Justice Department.

18 U.S.C. § 1505 makes it a crime for anyone to "... corruptly, or by threats or force, or by any threatening letter or communication influences, obstructs, or impedes or endeavors to influence, obstruct, or impede the due and proper administration of the law under which any pending proceeding is being had before any department or agency of the United States, or the due and proper exercise of the power of inquiry under which any inquiry or investigation is being had by either House, or any committee of either House or any joint committee of the Congress..." Barr acted corruptly by delivering a highly sanitized report of the principle findings of the Mueller investigation in an effort to undermine any pending and future investigations of the President. Barr's highly sanitized report led to immediate claims of "exoneration and vindication" by President Trump, and a propaganda onslaught by editorialists from various State Policy Network activist groups and conservative members of the House of Representatives that sought to harass, belittle and intimidate anyone who posed additional questions about the nature of the Special Counsel Report's findings. If we look at the standards for applying the 18 U.S.C. § 371 charge discussed previously: the agreement was the offer outlined in the Barr memo to protect the President from Special Counsel Robert Mueller's investigation, as well as various other civil and criminal proceedings. Criminal intent is established by the fact that Barr willfully delivered misleading statements to Congress with the intention of concealing his true intent. The overt acts include both the misleading statements to Congress, as well as the highly sanitized summary of the Special Counsel's findings which facilitated an onslaught of propaganda and gas-lighting by the President, members of Congress, and editorialists from various conservative

organizations seeking to harass, belittle and insult those who felt the need for greater scrutiny of the Trump Administration. In the ensuing weeks Barr has insisted that large portions of the Mueller report will have to be redacted, and a propaganda war has been waged by conservative activists to question the right of Congressional Committees to see the full unredacted report. On April 5th of 2019, lawyers for the White House insisted that the Treasury Department should not turn over Trump's tax returns which were requested by members of Congress until they receive approval from the Justice Department. This is an obvious appeal from the Trump White House for Barr to step in and fulfill his role as Chief White House fixer. This request came from the White House in spite of the fact that 26 U.S.C. § 6103(f) explicitly authorizes specific Congressional Committees to request the tax information of any American. For Barr to attempt to prevent the release of Trump's taxes in spite of that release being specifically authorized in that section would constitute an additional violation of the Balance of Powers clause, and be an insult to the right of Congress to engage in robust oversight of Executive Branch officials.

Section 1.2(e) states: “A lawyer shall not counsel a client to engage, or assist a client, in conduct that the lawyer knows is criminal or fraudulent...” In executing his offer to act as Chief White House Fixer, Barr is effectively advising the President on how to obstruct civil and criminal proceedings focusing on this administration.

Section 3.8(a) states: The prosecutor in a criminal case shall not: (a) In exercising discretion to investigate or to prosecute, improperly favor or individually discriminate against any person. Barr's letter to Congress offering a highly sanitized version of the findings of the Special Counsel investigation clearly constitutes abuse of office and invidious discrimination against prosecution of the President.

Section 4.1(a) states: “In the course of representing a client, a lawyer shall not knowingly; (a) Make a false statement of material fact or law to a third person...” Barr's improper statements to Congressional committees, as well as his misleading communications with Congressional Committees clearly violates this section.